

Screening Form for Low-Effect HCP Determination and NEPA Environmental Action Statement

I. Project Information

A. Project Name:

Fixico Point-of-Delivery (POD) to Weleetka Transmission Line Rebuild Project Habitat Conservation Plan (HCP)

B. Affected Species:

American burying beetle (ABB; *Nicrophorus americanus*)

C. Project Size (in stream miles and acres):

The Fixico POD to Weleetka Transmission Line Rebuild Project (Project) will upgrade two sections, an eastern and a western portion, along the existing 100-foot wide transmission line right-of-way (ROW) that intersect positive ABB surveys. In total, the two sections amount to 21.5 miles of existing transmission line ROW. Twenty-two surveys for the ABB were conducted in August of 2016, and 16 of these surveys had positive results. Total ABB habitat, based on positive surveys, within the existing ROW is approximately 124 acres.

D. Brief Project Description (including minimization and mitigation plans):

The Project will upgrade transmission lines within the current ROW between the existing Fixico POD located approximately 1.3 miles north of Seminole, Oklahoma to the Weleetka substation located approximately 1 mile south of Weleetka, Oklahoma in order to bring the electric system to current standards and ensure reliable energy. The Project includes two segments along the existing transmission line ROW that intersect thirteen positive ABB surveys from September 2016. The HCP plan area includes sections of the existing 100-foot wide ROW that intersect the 0.5-mile effective survey radius around these positive surveys, which encompasses a total of 157.2 acres. Take of ABB could result from rebuilding the transmission line. American Electric Power has prepared an HCP to obtain an incidental take permit.

Covered activities are those that likely will result in take and receive take authorization through the ITP. Covered activities include the following.

- **Site Preparation.** This activity includes all work within the ROW for rebuilding the transmission line. It will involve limited grading within the plan area, installation of culverts and crossings, removal of existing power poles and wires, and cleanup following construction activities. Site preparation would result in an estimated 124.4 acres of temporary impacts to ABB habitat within the HCP plan area.
- **New Power Poles:** American Electric Power will replace 91 existing H-frame wooden

power poles with 104 new steel power poles in the existing ROW in the HCP plan area. New power poles installed within ABB habitat would result in 0.01 acres of permanent habitat impacts where habitat would be permanently lost within the pole footprint.

The HCP's goals and objectives for the ABB include minimizing impacts from the covered activities, including restoring 124.4 acres of ABB habitat where temporary impacts occur, and mitigating temporary and permanent impacts to ABB habitat based on established mitigation ratios within the Conservation Priority Area for the species. Avoidance and minimization measures will be implemented to reduce the potential for direct take of ABB and impacts to its habitat, including limiting the use of motor vehicles, heavy equipment, and artificial lighting, relief of soil compaction and revegetating areas where vegetation has been removed to restore ABB habitat.

After implementation of all avoidance and minimization measures, some unavoidable impacts to ABB habitat remain: temporary impacts (124.4 acres) and permanent impacts (0.01 acres) (all habitat types are as defined by FWS). All of these unavoidable impacts will be mitigated in a Service-approved ABB conservation bank according to Service-established mitigation ratios, resulting in a total of 62.3 acres of ABB habitat to be conserved in perpetuity. Additionally, areas of temporary vegetation removal (124.4 acres) will be monitored over the 3-year permit term to ensure that they are restored to ABB habitat during the permit term. Monitoring results will be documented in annual reports submitted to the Service.

II. Does the HCP fit the following Department of Interior and Fish and Wildlife Service categorical-exclusion criteria?

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP, prior to implementation of the minimization and mitigation measures?

Yes. The majority of unavoidable impacts from the rebuild project are expected to result in minor temporary loss (for up to 3 years) of ABB habitat. Before minimization and mitigation measures, an estimated maximum of 124.4 acres of ABB habitat would be affected by implementation of the HCP over the 3-year life of the plan. Temporary habitat impacts would occur on up to 124.4 acres, and permanent habitat impacts would occur on 0.01 acres. AEP would mitigate these impacts through on-site restoration of temporary habitat disturbance and off-site compensatory mitigation for habitat impacts in accordance with USFWS ABB compensatory mitigation guidance. American Electric Power would purchase 62.3 credits (acres) from an ABB conservation bank for off-site compensatory mitigation. Relative to the occupied range of the species and the size of the Conservation Priority Areas (CPA), the small area of these habitat impacts (less than 0.001 percent of the CPA) and the on-site and off-site compensatory mitigation to offset these impacts, the effects to ABB would be minor or negligible. Areas of temporary impacts would be restored to ABB habitat, so just 0.01 acre of permanent habitat impacts would result from implementation of the HCP.

B. Are the effects of the HCP minor or negligible on all other components of the human environment, including environmental values and environmental resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.), prior to implementation of the minimization and mitigation measures

Yes. Activities for upgrading the existing transmission line to occur in the plan area would result in temporary ground disturbance and vegetation removal within an existing transmission line ROW previously cleared of woody vegetation and maintained as grassland or pasture. Therefore, impacts to other environmental resources or values would be minor or negligible. Based on record review and field surveys, no cultural sites or wetlands exist within the plan area. Visual impacts may occur from the installation of 104 new power poles and removal of 91 existing pole sets (2-3 poles/set for a total of 185 individual poles removed) during the entire rebuild, but these impacts would be minor or negligible relative to existing conditions, considering a transmission line already exists within the ROW.

C. Would the incremental impacts of this HCP, considered together with the impacts of other past, present and reasonably foreseeable future actions (regardless of what agency or person undertakes such other actions) not result, over time, in a cumulative effect to the human environment (the natural and physical environment) which would be considered significant?

Yes. The plan area is entirely within an existing, previously developed transmission line ROW. Therefore, the incremental impact of this HCP to the human environment is negligible. Implementation of the HCP would result in 0.01 acres of permanent development in the HCP plan area. The effects of this HCP are also to conserve in perpetuity 62.3 acres of undisturbed land for ABB habitat within the ABB Conservation Priority Area to offset impacts from the project. Together with revegetating areas of temporary impacts in the plan area, this off-site conservation would offset any incremental adverse effect on the human environment by preserving contiguous natural land cover. As such, the incremental impacts of the HCP, when considered together with the impacts of other past, present, and reasonably foreseeable future actions would not result in a cumulative effect to the human environment that would be considered significant.

III. Do any of the exceptions to categorical exclusions (extraordinary circumstances) listed in 43 CFR 46.215 apply to this HCP?

Would implementation of the HCP:

A. Have significant impacts on public health or safety?

No. The plan area exists exclusively within the current transmission line ROW. All construction activities would occur within the ROW and be conducted according to standard safety protocols and best management practices, would occur over a short time period (less than one year), and are not expected to result in any significant adverse effects to public health or safety.

B. Have significant impacts on such natural resources and unique geographic characteristics as: historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990) or floodplains (Executive Order 11988); national monuments; migratory birds, or other ecologically significant or critical areas?

No. The HCP plan area is entirely within an existing, previously cleared ROW. Covered activities would not result in long-term or significant effects to the limited prime farmlands that exist in the plan area, as ground disturbance would be within the existing ROW, temporary, and revegetated within the permit term. Based on record searches and field surveys, no cultural resources exist in the plan area. Implementation of the HCP would not result in any significant impacts to natural resources or unique geographic characteristics.

C. Have highly controversial environmental effects (defined at 43 CFR 46.30), or involve unresolved conflicts concerning alternative uses of available resources? [see NEPA section 102(2)(E)]

No. Construction activity will be temporary and the new transmission poles will be located within the existing transmission line ROW. The transmission line rebuild would benefit the community by upgrading existing infrastructure to meet current standards and increase reliability. There is no known controversy or opposition to the project.

D. Have highly uncertain and potentially significant environmental effects, or involve unique or unknown environmental risks?

No. The transmission line ROW sections comprising the plan area (5.0 and 8.0 miles long each) are not unusual in any way. Installation of transmission structures (104 poles) will pose no unusual, significant or uncertain effects or risks of any kind. Construction methods employed would be routine and well established and are not anticipated to result in any unique or unknown environmental risks.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No. Implementation of this HCP employs methods, such as impact avoidance, restoring ABB habitat on disturbed sites, and mitigating for habitat impacts according to Service-established mitigation ratios, that have already been developed and employed elsewhere without significant effect. Approving this HCP will not set a precedent for future actions; future actions will be reviewed on their own merits.

F. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?

No. The plan area for the rebuild occurs within the existing transmission line ROW. Except for the very small area (0.01 acres) with permanent impacts from new power poles, all other impacts are temporary and would occur within the existing ROW. As such, the project is not anticipated to result in any significant environmental effects.

G. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places?

No. A search of the National Register of Historic Places (NRHP) revealed no NRHP properties within the plan area and no significant cultural sites were discovered during field surveys in the plan area.

H. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?

No. Impacts to the ABB from implementation of the HCP would be minor or negligible, as explained in Section II.A above. Implementation of the HCP would not have significant impacts on other listed or proposed to be listed species. No Critical Habitat is designated within the HCP plan area. Based on the known ranges of ESA listed and candidate species and the habitat that is present within the HCP plan area, no other listed species have the potential to occur.

I. Violate a Federal law, or a State, local, or tribal law, or a requirement imposed for the protection of the environment.

No. The proposed plan is compliant with all applicable federal, state, and local laws. The plan area does not include tribal land, and no covered activities are proposed to occur on tribal land.

J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

No. Implementation of the HCP would beneficially affect services equally to all socio-economic groups.

K. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

No. Tribal consultation was initiated on September 15, 2017, with letters sent to the Tribal Historic Preservation Offices of the Muskogee Creek Nation and Seminole Nation, as well as the Bureau of Indian Affairs Eastern Oklahoma Regional Office. No comments or concerns were identified by Tribes.

L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

No. AEP will monitor areas with vegetation disturbance in the plan area to ensure

revegetation with preexisting species or of similar composition to surrounding areas and will use weed-free seeds for revegetation.

IV. ENVIRONMENTAL ACTION STATEMENT

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record.

Based on the information and analysis above, I determine that the proposed Incidental Take Permit for Fixico POD to Weleekta Transmission Line Rebuild Project Habitat Conservation Plan qualifies for a categorical exclusion, as defined in 40 CFR 1508.4 and in the U.S. Fish and Wildlife Service *Habitat Conservation Planning Handbook*. Furthermore, no extraordinary circumstances identified in 43 CFR 46.215 exist for the Fixico POD to Weleekta Transmission Line Rebuild Project Habitat Conservation Plan. Therefore, the Service's permit action for Fixico POD to Weleekta Transmission Line Rebuild Project Habitat Conservation Plan is categorically excluded from further NEPA review and documentation, as provided by 40 CFR 1507.3; 43 CFR 46.205; 43 CFR 46.215; 516 DM 3; 516 DM 8.5; and 550 FW 3.3C. A more extensive NEPA process is unwarranted, and no further NEPA documentation will be made.

Other supporting documents:

- Fixico POD to Weleekta Transmission Line Rebuild Project Habitat Conservation Plan
- Fixico POD to Weleekta Wetland Delineation Report
- Fixico POD to Weleekta Cultural Resources Report

Signature Approval:



Jonna Polk

Field Supervisor

USFWS Oklahoma Ecological Service Field Office

10-25-17

Date